

REMARKS/ARGUMENTS

The Board of Patent Appeals and Interferences (BPAI) Notification issued May 3, 2010, in which Claims 1-8, 15-19, 22-25, 32-36, 39-42, and 49-54 stood rejected under 35 U.S.C. §103(a) as being unpatentable. Claims 3-4, 20-21, and 37-38 were previously cancelled. Claims 1, 7, 9, 23, 18, 24, 26, 30, 35, 41, 43, and 47 are amended by this Amendment. An RCE is filed with this Amendment. Accordingly, Claims 1-2, 5-19, 22-36, 39-54 are now pending in the present application. Reconsideration is respectfully requested in view of the amendments to the claims and the following remarks.

Claim Rejections - 35 U.S.C. §103

On May 3, 2010, The Board of Patent Appeals and Interferences (BPAI) (hereinafter, "The Board") affirmed Examiner in the above-referenced case, on a finding of Obviousness under 35 U.S.C. § 103(a). Banning, U.S. Patent No. 5,421,008 ("Banning") in view of "Kaleidoquery: A Visual Query Language for Object Databases" ("Murray") are the cited references at issue in the BPAI decision.

Applicant respectfully disagrees and respectfully traverses the Board. Applicant submits Banning and Murray do not, alone or in combination, disclose, teach or suggest, "wherein an order in which the group is evaluated is controlled in a designated manner" as recited in Independent Claims 1, 18, and 35.

The Board has cited the combination of Banning and Murray references do not individually or collectively teach or suggest "visually indicating the grouping in the first display area" by "indenting the grouped predicates relative to other predicates of the search condition [,] positioning the grouped predicates adjacent to each other [, or] delineating the group with parenthesis or an equivalent symbol" (Board Notification of 5/03/10). In Banning, there is no means for controlling the order in which a group is evaluated. Similarly, in Murray, the results of

a query may be sorted using the OQL operation “order by.” The results may even be annotated or arranged in both ascending or descending orders. However, there is no teaching or suggesting of controlling the order in which a group result may be evaluated.

These features in cooperation with the other elements of Claims 1, 18, and 35 are not disclosed by either Banning or Murray either singly or in combination. Therefore, Applicant respectfully submits Claims 1, 18, and 35 are allowable. Likewise, Claims 2, 5-19, 22-36, and 39-54 are also allowable first because they depend from allowable base claims and also because they are allowable on their own individual merits.

CONCLUSION

Accordingly, Applicant respectfully requests reconsideration and allowance of all pending Claims 1-2, 5-19, 22-36, 39-54 as they are newly amended and presented. Applicants' attorney believes this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Respectfully submitted,
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Date

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